



Virginia Department of Corrections

Records and Information Management

Operating Procedure 050.3

Facility Release of Offenders

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Directive 050, *Offender Records Management*

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☐ Incarcerated Offender

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REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

The content owner reviewed this operating procedure in November 2021 and necessary changes are being drafted.

COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections. Practices and procedures must comply with applicable State and Federal laws and regulations, ACA standards, PREA standards, and DOC directives and operating procedures.

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DEFINITIONS

Bereavement Visit - Deathbed visit, funeral attendance (Community Corrections facilities only), or private visitation

Community Corrections Facility - A residential facility operated by the Department of Corrections to provide Community Corrections Alternative Programs

Court Order (for offender appearance) - An order issued by a State or Federal Court requiring an offender to appear in that Court

Detainer - Any form of legal hold placed on an inmate or CCAP probationer/parolee by another jurisdiction, where the effect is that an inmate or CCAP probationer/parolee will not be released upon completion of confinement, because that jurisdiction intends to take physical custody of the inmate or CCAP probationer/parolee. A legal hold may be filed by federal, state, or local authorities and will include: Detainers for arraignment or prosecution of untried charges; Judgment & Commitment Orders for an un-served sentence; Non-Detainer Holds to serve the balance of a sentence subsequent to escape, or revocation of probation / parole; or any form of Notify or Hold Request filed by the U.S. Immigration & Customs Enforcement (ICE).

Discharge - The release of an offender from a facility due to satisfying the requirements for incarceration at that facility; discharge may be due to parole, good time release, pardon, court order, completion of Community Corrections program or other reasons. Discharge may be to society with or without probation/ parole/ post-release obligations or discharge may be to law enforcement authorities for other legal obligations or deportation.

DOC Jail Contract Work Release - For eligible offenders housed within a DOC institution, the DOC, in contract with local and regional jails, provides the opportunity for offenders to return to a local or regional jail for work release.

Facility - Any institution or Community Corrections facility

Facility Folder - A two- part folder established at reception for each new offender received into the DOC on or after August 1, 2015 for the storage of the Property Envelope and facility specific information not uploaded to VACORIS

Historical Hardcopy Record - The original offender criminal record, established at reception for each offender in an institution prior to August 1, 2015 containing all original incarceration documents

Institution - A prison facility operated by the Department of Corrections - includes major institutions, field units, and work centers

Interstate Agreement on Detainer (IAD) - Request for a Speedy Trial by the prosecutor or the inmate in regards to untried indictments from jurisdictions outside of Virginia.

Mental Health Classification Code - A numeric code assigned to an inmate by a Psychology Associate that reflects the inmate's current mental health status and mental health and wellness service needs; the coding system is hierarchical, with an MH-0 representing no current need for mental health and wellness services and an MH-4 representing the greatest need for mental health and wellness services.

Offender Re-Entry Program - A program developed by the Department of Corrections to provide transition services to offenders being released from incarceration in the following phases: educational, work release (for eligible offenders), and post-release after care services

Parole Violator - A bed assigned to an offender returning to custody from parole

Property Envelope - A 6" by 9" brown envelope established at initial intake to store offender identification documents and educational documents e.g., original certificates, diplomas, and certification cards, to be transferred with the offender to each new institution and provided to the offender upon release

Writ (Habeas Corpus Ad Prosequendum or Testificandum) - Court order for an inmate to appear in court typically used by federal authorities. The approval of the Governor's office is required for all courts located outside of Virginia.

PURPOSE

This operating procedure provides guidelines for the safe and reliable release of offenders from Department of Corrections (DOC) facilities and describes the facility notification requirements for each type of offender release, the verification process to confirm notification, the identity of the offender, the authorization for the release, and proper documentation of the authorization and release. Release may be to society when the offender has satisfied the court-ordered term of incarceration or the release may be to DOC staff or other law enforcement authorities for transportation outside the facility.

PROCEDURE

I. Release Process

- A. It is the responsibility of the DOC to maintain custody of inmates and CCAP probationers/parolees housed in facilities for the period for which they were sentenced.
 - 1. Offenders will be released from DOC custody upon satisfying their court-imposed sentence.
 - 2. An offender may be released into the custody of other appropriate authorities to be transported outside the facility with a valid court order.
 - 3. An inmate or CCAP probationer/parolee may be released into the custody of other appropriate authorities to be transported outside the facility with a valid court order from a federal or out of state jurisdiction, and with the approval of the Detainer Unit.
- B. The release of an offender from facility custody must be properly authorized and controlled through the following process:
 - 1. Notification - Facility staff must be notified that the release of the offender is needed
 - 2. Verification - Facility staff must verify that the need for offender release is valid
 - 3. Authorization - The appropriate DOC authority as established in this operating procedure or other appropriate authority of the Commonwealth of Virginia must authorize the release of the offender
 - 4. Identification - Facility staff must verify the offender's identity and the identity of the persons taking custody of the offender
 - 5. Release Documentation - Facility staff must prepare and maintain documentation of why, where, when, and to whom the offender is released
 - 6. Transportation - Facility staff must coordinate with transportation providers to ensure the safe and secure transportation of offenders.
 - a. The persons authorized to transport offenders are listed with each type of offender release
 - b. DOC staff will transport offenders in accordance with Operating Procedure 411.1, *Offender Transportation* (Restricted).
- C. Any authority taking custody of an offender must maintain proper control of the offender until custody of the offender transfers to another appropriate authority, or the offender returns to the original facility or another DOC facility.

II. Discharge Releases (5-ACI-5F-05; 4-4446; 4-ACRS-6A-13)

- A. Notification - Facility records staff will become aware of a pending offender discharge release by the following mechanisms:
 - 1. Community Corrections facility offenders - Facility records and Facility Review Committee approval for the offender's completion of the Community Corrections Alternative Program
 - 2. Institutional offenders
 - a. VACORIS report of pending mandatory parole or good time releases
 - b. Parole Board letter granting discretionary parole

B. Verification

1. Community Corrections facility offenders - Facility staff must confirm that the Facility Review Committee and the Facility Unit Head approved the offender for completion of program requirements.
2. Inmates - Facility records staff must verify that the inmate is ready for discharge release and will:
 - a. Conduct a final review of the inmate's VACORIS record and the Historical Hardcopy Record or Facility Folder and notify Manager, Court & Legal immediately if any of the following are found:
 - i. Unsatisfied warrants/detainers/orders for continued custody
 - ii. Classification or disciplinary actions that may affect release date
 - iii. Uncalculated sentences
 - b. Verify the posted discharge date on the discharge/release documents uploaded to the VACORIS record. Should any doubt exist as to the computed release date, records staff must confer with the Court and Legal Services Unit to authenticate the release.
 - c. Verify the presence or absence of detainers in VACORIS with the Detainer Unit. Should any doubt exist, contact the Detainer Unit. If the inmate is discharging to a criminal detainer, the Detainer Unit makes the initial arrangements with the jurisdiction, records staff will coordinate with the jurisdiction that issued the detainer to finalize arrangements for the jurisdiction to assume custody of the inmate.
 - d. Verify the presence or absence of any civil hold related to the *Sexually Violent Predators Act* or other civil matters in which the offender is held. Records staff must confer with the Sex Offender Screening and Assessment Unit and the Detainer Unit for clearance before release from physical custody.
3. If an offender is being released per a court order with or without bond, records staff must immediately, upon notification and prior to the offender's release, confirm this action with the Court and Legal Services Unit. Community Corrections facilities should confirm the court order directly with the issuing court and the appropriate P&P Office.

C. Authorization

1. Community Corrections facility offenders - The Facility Unit Head may authorize the discharge of offenders from the program.
2. Institutional offenders - The Community Release Unit will provide a copy of the discharge/release documents to facility records staff when an offender is granted discretionary parole, satisfied mandatory parole release, satisfied good time release, or is to be otherwise discharged.

D. Release Preparation

1. Designated Facility Staff will run a VCIN/NCIC check for any outstanding warrants (wanted query) on the inmate. When staff receive information on an inmate that indicates an outstanding warrant, staff must forward the information, any instructions, and contact information to the Director of Offender Management Services, Manager of the Detainer Unit, and the DetainerUnit@vadoc.virginia.gov mailbox.
2. Facility records staff will:
 - a. Confirm the offender provided a DNA sample or ensure that the offender provides a DNA sample before release; see the *DNA Sampling of Offenders* attachment to Operating Procedure 920.1, *Community Case Opening, Supervision, and Transfer*.
 - b. Confirm designated staff ran a VCIN/NCIC wanted query on the inmate and any outstanding warrants were reported to the Detainer Unit.
 - c. Notify appropriate departments, such as Business, Personal Property, Security, Medical, Mental Health and Wellness, Grievance, Mailroom, and Treatment, of the offenders pending release to ensure completion of any pending action, such as grievances, claims for damages or lost possessions, medical screenings, and arrangements for community follow-up.

- d. Determine if the offender requires public transportation upon release and confirm the approved locality within the state
 - e. Prepare the *Property Envelope*, when applicable, as follows:
 - i. Place the offender's Birth Certificate, Social Security Card, and DMV Identification Card in the offender's *Property Envelope* upon receipt; staff must not upload these identification documents into VACORIS.
 - ii. Confirm on the demographics screen in VACORIS that the offender's Birth Certificate, Social Security, and DMV Identification Card were received and are on file at the facility
 - iii. Provide offenders with the contents of their *Property Envelope* in accordance with COV §53.1-10, Powers and duties of Director, which requires that all discharging offenders be provided with identification documentation and given the opportunity to secure their Social Security Card
 - iv. Document in the *Notes* Section of VACORIS, that the offender's Birth Certificate, Social Security Card, and DMV Identification Card were provided and upload a copy of the signed *Personal Property Envelope* as an external document to the corresponding *Note*
 - v. Forward within 30 days of receipt all documents received after the offender's release in accordance with Operating Procedure 050.1, *Offender Records Management*.
 - f. Prepare a *Selective Service Form*, if applicable
 - g. Provide three notarized [Certifications of Incarceration Period \(Form DC-366\)](#) covering the current period of incarceration to each offender prior to their release date
 - h. Provide the offender with a copy of the Internal Revenue Service's Form 8850, *Pre-Screening Notice and Certification Request for the Work Opportunity Credit*
 - i. Ensure the State Identification (SID) number has a confirmation date from the Virginia State Police, if the SID number is not confirmed ensure the offender's fingerprints are scanned using the facility's live scan equipment.
3. Treatment Department responsibilities:
- a. Confirm the offender's home plan, if applicable
 - b. Ensure the offender obtained their Birth Certificate and Social Security Card in accordance with Operating Procedure 820.2, *Re-entry Planning*.
 - i. Each month, records staff or a designee should provide re-entry staff with a list of offenders scheduled for release within the next 120 days so the offender can apply for a copy of their Social Security Card.
 - ii. Treatment staff will return the list of offenders to the Records Office within two weeks of receipt, with the completed Social Security applications attached for processing.
 - c. Assist the offender in obtaining a DMV Identification Card through *DMV Connect*
 - d. Review the loss of civil rights due to felony convictions and the requirements for restoration of civil rights with the offender, and provide a copy of the *Restoration of Civil Rights Information* attachment to Operating Procedure 820.2, *Re-entry Planning*
 - e. Assist offenders who are applying to have the court waive the interest charges for fines and costs accrued during their incarceration by providing the offender with three [Certifications of Incarceration Period \(Form DC-366\)](#) when requested in accordance with Operating Procedure 820.2, *Re-entry Planning*
4. Business Office responsibilities:
- a. Provide all funds credited to the offender's account to the offender upon release from confinement, other than discharges to a detainer, to include offenders not going directly into the community, e.g., committed to a mental health hospital or the Virginia Center for Behavioral Rehabilitation.
 - i. If the funds do not total \$25.00, add the funds necessary to reach the required \$25.00.
 - ii. The addition of funds to an offender's account does not apply to offenders released from Community Corrections facilities.

- b. Provide all funds accumulated to the offender's account when an offender is discharged or paroled to another criminal justice agency to meet a detainer
 - c. Prepare a receipt to confirm funds paid to the offender. A representative of the Business Office should review the account balance with the offender and have the offender sign the receipt.
 - d. Forward offender pay, GTL Debit Account balances, or other funds not posted to the offender's account at the time of the offender's release to the offender within five working days of posting the funds to the offender's account in accordance with Operating Procedure 802.2, *Offender Finances*.
 - e. Arrange for bus transportation, if needed
 - f. Charge the cost for discharge funds, discharge clothing, and public transportation to appropriate, authorized accounts according to established fiscal procedures.
5. Medical Department responsibilities:
- a. Monitor the facility population through VACORIS to identify offenders who are within 180 days of release so medical pre-release preparation can begin
 - b. Prepare the offender for discharge to include providing any necessary medications in accordance with Operating Procedure 720.3, *Health Maintenance Program*
6. Personal Property responsibilities:
- a. Collect and inventory the offender's personal property in accordance with Operating Procedure 802.1, *Offender Property*. Any property left by the offender will be considered unclaimed property.
 - b. Determine the need for and, if necessary, obtain discharge clothing at least two weeks before discharge
 - i. Offenders will not discharge in state-issued clothing, except for approved discharge clothing.
 - ii. Offenders may wear personal clothing acquired while incarcerated when discharged.
 - iii. Offenders who desire to do so, may make arrangements, with the approval of the Facility Unit Head, to have one set of civilian clothing delivered or mailed to the institution no sooner than two weeks prior to the offender's scheduled discharge date. Facility staff will provide the offender with the clothing on the day of discharge only.
 - iv. Female offenders may order discharge clothing through the commissary or approved vendor no sooner than one month prior to discharge. Facility staff will store the discharge clothing for issuance on the day of discharge only.
 - v. If the offender does not have personal clothing to wear on discharge, the facility staff may provide the following at facility expense. Facility staff should purchase these items from Virginia Correctional Enterprises (VCE), if possible, or locally using appropriate state procurement procedures. VCE does not stock discharge clothing for female offenders
 - (a) Male offenders - personal items should be worn instead of state-issued wherever possible
 - 1 pair khaki slacks
 - 1 shirt
 - 1 jacket (*October 15 to April 14 only*)
 - 1 pair underwear
 - 1 pair socks
 - 1 belt
 - 1 pair shoes
 - (b) Female offenders - personal items should be worn instead of state-issued wherever possible
 - 1 pair jeans/slacks
 - 1 light blue chambray shirt
 - 1 jacket (*optional depending on the weather*)
 - 1 pair underwear
 - 1 bra
 - 1 pair socks

- 1 pair shoes

7. Facility Gang Specialist responsibilities:

- a. Conduct a follow-up interview and examination with each releasing offender to detect any new or additional display of gang affiliation
 - b. Ensure that the *Gangs and STG Notes* in VACORIS are up to date and a gang alert appears in VACORIS, if applicable.
 - c. Notify the receiving P&P District's gang specialist or other authority in accordance with Operating Procedure 435.2, *Offender Gang Identification and Tracking* (Restricted).
8. The facility Testing Coordinator will ensure the offender is drug tested in accordance with the Operating Procedure 841.5, *Offender Alcohol and Other Drug Testing and Treatment Services*.
9. Facility mailroom staff should record the offenders discharge address to forward mail in accordance with Operating Procedure 803.1, *Offender Correspondence*.

E. Identification and Release Documentation

1. Records staff will:

- a. Verify the offender's identity via VACORIS and the offender picture identification card
 - b. Prepare the *Offender Information Form* using VACORIS for issuance to the offender, when necessary. Note that the *Offender Information Form* is to be printed on plain paper.
 - i. Offenders can take the facility provided *Offender Information Form* to the local P&P Office to obtain an *Offender Information Form* printed on watermark paper.
 - ii. This provision applies to offenders with and offenders without supervision.
 - c. For institutions, the Records Office will prepare an *Offender Gate Pass* in VACORIS to authorize the offender's departure through the designated facility perimeter gate for the Shift Commander's signature.
2. At the time of release, the offender will read, or facility staff will read to them, the *Order of Release* and the *Conditions of Probation* or *Conditions of Parole*, as applicable.
- a. The offender must sign their name, as typed on all documents, and date these release documents. Facility staff will also sign and date all release documents in the space provided as witness to the offender's signatures.
 - b. An offender who refuses to sign the *Conditions of Parole* for a discretionary parole release will be placed back into the facility.
 - c. Facility records staff will immediately contact and notify the Facility Unit Head, Administrative Duty Officer (ADO), and the Shift Commander.
 - i. Facility records staff will call the Community Release Unit for further instructions.
 - ii. The offender must remain in the facility until the Community Release Unit advises whether the offender will be released.
 - d. If an offender refuses to sign the *Order of Release* for a mandatory parole release, records staff will place the words "Refused to Sign" in the space provided for the offender's signature, and then sign and date as a witness on the space provided.
 - i. Records staff must instruct the offender to report to the specific P&P Office, if appropriate, as stated on the "Order/Notification of Release", and that failure to do so will result in violation of parole.
 - ii. The offender will be released from the facility.
 - e. The original *Order of Release* and the *Conditions of Probation* or *Conditions of Parole*, as applicable will be given to the offender with a copy uploaded into VACORIS, clearly noted as "release paperwork".
3. Records staff, in the presence of the offender, will open the *Property Envelope* at the time of release and give the contents to the offender.

- a. The offender must sign their name and provide their number, and date in the space provided, and a Records Office representative will sign as a witness to the offender's receipt of personal documents and signature.
 - b. Facility staff must scan and upload the signed *Property Envelope* into VACORIS *Notes* and retain the original at the facility for 30 days after the offender's release and then destroy it.
4. Facility staff must obtain the offender's identification card at the time of release, and ensure that the card is shredded.
5. If an offender is being released on probation or parole directly to a plan in another state, the P&P Officer must complete and submit a *Notice of Departure* in Interstate Compact Offender Tracking System (ICOTS) on the date of departure.
 - a. The offender should be transferred in VACORIS from the facility to interstate compact community supervision when the *Order of Release* indicates the offender is being released on supervision and is to report directly to another state.
 - b. If the *Order of Release* instructs the offender to report to a Virginia P&P Office, the VACORIS case should be transferred to the P&P Office.
 - c. If the *Order of Release* indicates, the offender is being released to an out of state detainer, the VACORIS case should be transferred to the P&P Office that the *Order of Release* instructs the offender to report to upon release from the detainer. The P&P Officer will then place the offender in Administrative P&P and monitor the detainer status.
6. Medical Clemency Releases
 - a. As a condition of being released on Medical Clemency, the offender must agree in writing to have their physician provide information on their current medical condition to designated DOC staff e.g., P&P Officer, Chief Physician, etc. whenever requested.
 - i. The offender must provide the DOC with all contact information for their physician.
 - ii. The offender must sign a *Consent for Release of Confidential Health and/or Mental Health Information_701_F8*, authorizing staff access to the offender's health information.
 - iii. The offender will give a copy of the *Consent* to their physician immediately upon release.
 - iv. If the request is not honored, the Medical Clemency Release may be terminated immediately.
 - b. The DOC Chief Physician or designee will communicate with the offender's physician as needed to gather medical condition, diagnoses, level of alertness, whether the offender is ambulatory, eating, performing any activities of daily living, and prognoses.
 - c. The Chief Physician or designee will share the offender's medical report with agents of the Commonwealth of Virginia on a need-to-know basis.
 - d. A DOC physician on direction from the Health Services Director, if necessary, will be allowed to visit and examine any offender in this status.
7. Parole Violator Releases
 - a. The Parole Board must provide written notification to Court and Legal Services of all decisions to continue community supervision or administratively discharge a Parole Violator.
 - b. Court and Legal Services will generate a *Legal Update* in VACORIS to provide facility staff with the offender's custody status and instructions for the offender to remain in custody or release.
 - c. Facility staff must not release a Parole Violator until the *Legal Update* is available in VACORIS.
8. The registration of sex offenders will be handled in accordance with Operating Procedure 735.1, *Sex Offender and Crimes Against Minors Registration*.
9. The Community Release Unit will notify the Victim Services Unit when an offender is being released from confinement so that all registered victim(s) of a crime can be notified prior to the offender's release; see Operating Procedure 021.1, *Victim Services Unit*. (5-ACI-5F-06; 4-4447; 4-ACRS-7F-06; 2-CO-4G-02)

F. Transportation



1. Upon notification of an inmate's release date, facility staff will determine the inmate's need for transportation. If the inmate does not make outside arrangements for transportation, the Facility Unit Head will determine the most economical mode of travel.
 - a. A paroled or discharged offender with an approved transportation request will not be given state money to direct purchase their public transportation ticket.
 - i. Facility staff will arrange for the transportation ticket and provide the offender with the written documentation to include any confirmation number of the arrangements.
 - ii. The offender will give the written documentation to the ticket agent or driver.
 - b. An offender released on direct discharge, with no probation, parole, or post-release supervision, may request a ticket to any locality within the Commonwealth of Virginia.
 - c. Public transportation arrangements for an offender released on probation or parole supervision will be to the location of the offender's approved home plan within the Commonwealth of Virginia, only.
 - i. If the approved plan is out-of-state then the arrangements for a public transportation ticket will be to a locality on the transportation route closest to the out-of-state location, but within Virginia's border. Note: Bristol Virginia/Tennessee and Bluefield Virginia/West Virginia are considered within Virginia's borders.
 - ii. The Shift Commander is to schedule and provide transportation as necessary to the appropriate station for offenders traveling by public transportation.
 - d. When an inmate will not use public transportation, e.g., sex offenders and mentally ill inmates under probation or parole supervision, facility staff will transport the inmate to the appropriate P&P Office on release.
 - i. The Community Release Unit will be arrange for the transportation of sex offenders
 - ii. Facility staff must transport these offenders to the P&P Office unless the Chief P&P Officer allows family members to provide transportation.
 - iii. When an inmate is transported to a P&P Office, the transporting staff member will escort the inmate(s) into the office and notify P&P staff of the inmates' arrival. When more than one inmate is transported and the transport is to more than one P&P Office, arrangements will be made with P&P staff to escort the inmate into the office.
2. When an inmate is being released to a location not covered by public transportation, facility staff will determine if the inmate has a ride to the designated release location.
 - a. If the offender does not have a ride, facility records staff will notify the Transportation Coordinator at least ten days in advance to ensure there is sufficient time to arrange a transfer to a facility closer to the release location.
 - b. Staff from the releasing facility will transport the inmate to the appropriate P&P Office on release and will escort the inmate(s) into the office and notify P&P staff of the inmates' arrival. When more than one inmate is transported and the transport is to more than one P&P Office, arrangements will be made with P&P staff to escort the inmate into the office.
 - c. Offenders being released to any location not covered by public transportation will be transported to the appropriate P&P Office regardless of whether the offender has supervision to follow incarceration.
 - d. On the day of the release, a courtesy call to the P&P Office will be made to advise them of the transport.
3. An offender being released on parole or discharge must be released by 11:59 p.m. on their scheduled release date.
 - a. During hazardous weather conditions, if local conditions are such that the Facility Unit Head determines that transporting the offender to a public transportation location could be dangerous to staff or offenders, or if there is a lack of public transportation, the offender's release may be reasonably delayed past the scheduled release date.
 - i. Facility staff must notify the offender about the delay and allow the offender to make their

- own transportation arrangements.
- ii. If the offender arranges for their own transportation from the institution, then the release may proceed as scheduled.
- b. When an offender's release is delayed, records staff will notify both the Community Release Unit and the Court and Legal Services Unit so the offender's release date can be adjusted and a new date scheduled. The offender must not to be released without a new date being set by the Community Release Unit.
- 4. If the offender is being released to a detainer, upon arrival of the law enforcement authorities to pick up the offender, the records staff must:
 - a. Verify the proper identification of the authorities via picture identification cards and signatures
 - b. Telephone the jurisdiction for a physical description of the representative(s)

III. Release for Transportation

- A. An offenders release from a DOC facility for transportation may be due to a day trip where the offender returns to the same facility on the same day or a permanent or temporary transfer to another facility
- B. Depending on the inmate's or CCAP probationer's/parolee's status, they may be released to DOC security or non-security staff, other law enforcement agencies, or friends and family for transportation.
 - 1. Release of offenders to security staff - Facilities may release offenders to security staff for transport of the offender due to transfer from one facility to another, for court appearances, for medical appointments, and for other valid purposes.
 - 2. Release of offenders to non-security staff
 - a. Community Corrections facility offenders may be released to security and non-security staff for transportation related to program participation.
 - b. Institutional offenders will only be released to non-security staff with prior written permission of the Facility Unit Head and the Regional Administrator, Regional Operations Chief, or the Chief of Corrections Operations. In an emergency, verbal approval may be granted by the Regional Administrator, Regional Operations Chief, or the Chief of Corrections Operations.
 - 3. Release of offenders to state and local law enforcement agencies - The Facility Unit Head or designee must verify the identification of the transporting officials and when authorized, make a copy of the picture identification card and badge number.
 - a. Even though the law enforcement officer is in uniform, the officer must be required to produce an acceptable written identification with a picture.
 - b. Verification of identification will also be made by calling the agency that issued the identification, e.g., Sheriff's Department, Police Department, or other law enforcement agency for confirmation.
 - c. The receiving law enforcement official must sign a *Receipt for Offender Custody* 050_F2 documenting that they are accepting custody of the offender from the DOC.
 - 4. Release of inmates and CCAP probationers/parolees to federal law enforcement agencies, e.g., United States Marshals Service - The Facility Unit Head or designee must verify the identification of the transporting officials however, they are prohibited from photocopying the picture identification card or badge.
 - a. As directed by 18 U.S.C. §701, *Official badges, identification cards, other insignia*, no badge, identification card, or other insignia used by any officer or staff member of a federal agency may be photocopied or otherwise copied.
 - b. In order to verify identification, facility staff will:
 - i. Request the federal law enforcement officer to present a valid federal government picture identification card.
 - ii. Compare and verify that the picture identification card matches the officer presenting the

identification card.

c. Verification of identification will also be made by calling the agency that issued the identification card for confirmation.

5. Release of offenders to family or friends - Community Corrections facilities may release offenders to approved family or friends for transportation to court hearings, funerals, and deathbed visits. The release to family or friends must be documented on a *Travel Permit-In State Travel* 050_F3. (4-ACRS-2A-11, 4-ACRS-5A-16)

C. Offender Searches and Restraints

1. Prior to release, the offender will be strip searched by corrections staff.
 - a. A Strip search is optional for Community Corrections offenders.
 - b. If requested by the transporting officers, provision will be made for the offender to be searched again by the transporting officers.
2. The offender will not be permitted to dress until after the transporting officers have indicated if they wish to search the offender or not.
3. If DOC staff are transporting the offender, the offender must be restrained in accordance with Operating Procedure 411.1, *Offender Transportation* (Restricted).
4. If non-DOC authorities are transporting the offender, DOC staff will provide, when requested, in placing restraints on the offender.
 - a. The non-DOC authority must supply the restraints.
 - b. With approval of the Facility Unit Head or designee, the facility restraints may be used, if the transporting agents do not have adequate restraints.

D. Offender Attire

1. Unless otherwise specified by court order, offenders will be transported or released to appropriate transporting officials in newly issued, clean state clothing in good condition.
2. Community Corrections Facility Unit Heads may direct that facility offenders be transported in personal clothing, if appropriate.
3. If the court order specifies that the offender be attired in civilian clothing, the offender will be provided appropriate state issued civilian attire for this purpose.
 - a. Where time allows, the offender may be permitted to have appropriate civilian clothing sent to the facility in advance of the court appearance.
 - b. If the court appearance is scheduled for the date of release, the offender will be transported in civilian attire.
 - c. If the offender is being transported to a jail or other correctional facility to be held for a court appearance at a later date, the offender will be transported in appropriate offender attire and the required civilian clothing will be sent with the offender at the time of transport.

E. An *Offender Gate Pass* is required to release an offender housed in an institution to law enforcement and to DOC transportation officers.

1. Records staff or the Shift Commander for unplanned transport outside business hours will generate the *Offender Gate Pass* in VACORIS to serve as documentation to the Corrections Officer posted at the designated facility perimeter gate that the offender's release from facility custody has been properly authorized.
 - a. The *Offender Gate Pass* must be presented to the transporting authority, who in turn must present it to the recipient facility.
 - b. The *Offender Gate Pass* provides critical security, medical, and behavioral information about the offender to the transporting officers and the receiving authority.
 - c. All sections of the *Offender Gate Pass* must be completed. If an area does not apply, the *Gate*

Pass will be marked “N/A” in that particular section.

2. The *Offender Gate Pass* is not required at Community Corrections facilities, but transporting officers should be provided any relevant medical or security information that may be needed.
3. Care should be taken to assure the transporting officials are made aware of the *Offender Gate Pass* and the information provided.

F. Medical Appointment

1. Notification - Records staff should be notified of offender medical appointments by a schedule provided by the Medical Department, usually on a weekly basis.
2. Verification - Records staff should verify with the Medical Department that the appointment is valid and still scheduled.
3. Authorization - The Facility Unit Head or designee will authorize transport of offenders for medical appointments.
4. Release Documentation for medical appointments - The facility Records Manager or designated records staff should prepare an *Offender Gate Pass*.
5. Transportation
 - a. Institution offenders - Security staff should transport offenders to medical appointments, maintain custody of the offenders, and return the offenders to the institution after the appointment. (5-ACI-5F-04; 4-4445)
 - b. Community Corrections facility offenders - Any staff member may be transport offenders to medical appointments.
 - i. With the approval of the Facility Unit Head and agreement with the Medical Department, the offender may be left unsupervised and picked up after the appointment.
 - ii. With the approval of the Facility Unit Head, offender family and friends may transport Community Corrections offenders to medical appointments and return the offender to the facility after the appointment. The *Travel Permit-In State Travel* 050_F3 will be used to document the purpose of the trip and when the offender is required to return to the facility. (4-ACRS-2A-11,, 4-ACRS-5A-16)

G. Medical Emergency

1. Notification - The Medical Department should immediately notify the Shift Commander and the Records Office, if during working hours, when made aware of the possibility of emergency medical transportation.
2. Verification - Records staff or the Shift Commander, if after hours, should confirm with the Medical Department the need for emergency medical transportation.
3. Authorization - The Facility Unit Head or ADO will be notified and may authorize emergency medical transportation
4. Release Documentation - The Records Manager, designated records staff, or the Shift Commander, if after hours, should prepare an *Offender Gate Pass*
5. Transportation
 - a. The Shift Commander and ADO, on advice of the Medical Department, will determine whether transportation should be by facility security vehicle, facility emergency medical vehicle, or non-facility emergency medical vehicle.
 - b. DOC security staff must maintain custody of the offender until:
 - i. The offender returns to the institution or is transported to another institution either by security vehicle or by an emergency medical vehicle.
 - ii. The offender is admitted to a security ward and security ward staff assume custody.
 - iii. The offender is admitted to a hospital outside a security ward and security staff are relieved by additional DOC security staff.

H. Bereavement Visit

1. Notification - The offender or the offender's family should notify facility staff of the need for a bereavement visit. Facility staff should forward this information to the ADO immediately to start the verification and authorization process.
2. Verification - The offender's Counselor or other designated staff should contact the offender's family and local officials to determine if the offender is eligible for the visit in accordance with Operating Procedure 851.2, *Bereavement Visits*.
3. Authorization - The Facility Unit Head or designee and the Regional Administrator or designee may authorize visits for eligible offenders in accordance with Operating Procedure 851.2, *Bereavement Visits*.
4. Release Documentation - For institutional offenders, the Records Manager or designated records staff should prepare an *Offender Gate Pass*
5. Transportation
 - a. Institutional offenders - DOC security staff will transport the offender in a DOC security vehicle. The offender may be transferred temporarily to an institution closer to the visit site, if the offender cannot be transported and returned in the same day. (5-ACI-5F-04; 4-4445)
 - b. Community Corrections facility offenders - Friends or family will usually transport. The *Travel Permit-In State Travel 050_F3* will be used to document the purpose of the trip and when the offender is required to return to the facility. With the approval of the Facility Unit Head, any staff member may transport Community Corrections offenders in any state vehicle. (4-ACRS-2A-11, 4-ACRS-5A-16)

IV. Out to Court - Commonwealth of Virginia Local Jurisdictions

A. Notification - Court Order

1. The court order directing an inmate's or CCAP probationer's/parolee's appearance in any court must contain their name, destination location, purpose of the proceedings, date of release, name of court ordering the release, and an original or attested signature.
 - a. Per the COV §19.2-310, *Transfer of prisoners to custody of Director of Department of Corrections*, the Clerk of the Court may transmit or make available a copy or copies of the Court order electronically.
 - b. When the facility receives the court order directly from the court, facility staff will contact the Manager of Classification or the Transportation Coordinator in their absence, for advice and direction when the court order is not clear or appears questionable.
 - c. The Transportation Coordinator will investigate and seek a resolution where necessary and advise the facility.
2. When the Classification Unit receives the court order, the Transportation Coordinator will promptly notify the Facility Unit Head and forward the court order to the facility.
3. Release notification to Offender Management Services
 - a. Prior to the release of an offender for a court appearance, the Facility Unit Head or designee must notify the Transportation Coordinator in advance by telephone.
 - b. When the release occurs after normal business hours and advance notice cannot be given, the Facility Unit Head or designee must notify the Transportation Coordinator during the first working day following the release.

B. Verification

1. The Facility Unit Head or designee is responsible to verify the authenticity of all court orders received at the facility ordering the release of an offender for a court appearance by calling the court that issued the order.

2. If unable to make direct contact with the court, confirmation that the offender is on the court docket should be done through the Court's online website at www.courts.state.va.us.

C. Authorization

1. Community Corrections facility offenders - The Facility Unit Head may authorize the release of an offender to appropriate authorities on the basis of a court order for the purpose of a court appearance within the Commonwealth of Virginia. Due to probation status, offenders in Community Corrections facilities may not be held in jail for court appearances except under warrant or court order.
2. Institution offenders - The Transportation Coordinator will issue a *Temporary Reclassification* if the offender must stay in a jail or other correctional facility to facilitate the court appearance.
3. With prior notification to the facility and confirmed identification of the transporting officers in accordance with this operating procedure, offenders may be released to non-DOC law enforcement authorities for transport to court.
 - a. The Shift Commander in the absence of records staff will be responsible for confirming the identification of the transporting officers, completing the release documentation, and releasing the offender to the transporting authority when a non-DOC law enforcement authority arrives outside business hours to transport an offender to court.
 - b. The Shift Commander must notify the ADO when a non-DOC law enforcement authority arrives after hours, without prior notification, to transport an offender to court.
 - c. Explicit approval of the Facility Unit Head is required to release an offender without prior notification and verification.

D. Release Documentation - The facility Records Manager or designated records staff should prepare:

1. *Offender Gate Pass*
2. *Receipt for Offender Custody* 050_F2; if transported by non-DOC law enforcement
3. *Request for Court Disposition* 050_F4
4. *Court Appearance Log* 050_F5; if transferred to a jail for court appearance, arrival at the jail must be verified within 24 hours of release to non-DOC authorities and the offender's presence at the jail verified each 30 days thereafter until returned to DOC custody.
5. *Court Transportation Information* 050_F6
6. *Do Not Release Notification* 050_F16

E. Transportation

1. DOC security staff or other non-DOC law enforcement authorities may provide transportation.
 - a. The *Offender Gate Pass* will be provided to the Corrections Officer operating the designated facility perimeter gate as authorization to release the offender to transporting authorities.
 - b. The Facility Unit Head or designee will ensure the proper identification of the authorities to whom the offender is released prior to the release.
 - c. The transporting authorities, if non-DOC law enforcement, must sign the *Receipt for Offender Custody* and will be provided the *Offender Gate Pass* and the *Request for Court Disposition*.
2. For Community Corrections facilities only, offenders may be released to approved family or friends for Court appearances. (4-ACRS-2A-11, 4-ACRS-5A-16)
 - a. The *Travel Permit-In State Travel* 050_F3 will be used instead of *Receipt for Offender Custody* and the *Offender Gate Pass*.
 - b. The P&P Officer should follow up on offenders "out-to-court overnight" to confirm whereabouts and to track current status.

F. Notification of additional sentences imposed

1. In order to maintain accurate and up-to-date release information concerning offenders, the Court and Legal Services Unit must be notified of any additional sentence imposed upon the offender.
2. Records staff will send a copy of the *Request for Court Disposition* 050_F4 with each inmate or CCAP probationer/parolee who is returned to court for trial.
 - a. Records staff will forward a copy of the *Request for Court Disposition*, court's disposition notice and all other court documents to Court and Legal Services.
 - b. If the court does not return the *Request for Court Disposition* or returns a blank document, records staff will forward the blank document, the court's disposition notice if available and all other court documents to Court and Legal Services.
 - c. If the Court does not provide a disposition notice with the court documents, facility records staff will forward the blank *Request for Court Disposition* 050_F4 to Court and Legal Services.

G. Record Keeping and Follow-Up

1. The facility will report the inmate's or CCAP probationer's/parolee's "Transfer Reason" as "out-to-court" in VACORIS for Virginia local jurisdictions until they returns to the facility.
2. Offenders listed as "out-to-court" must have their status verified with the agency having custody at least every 30 days by the Facility Unit Head or designee.
3. The Records Manager or designated records staff must maintain a Court Transportation Logbook containing the following documents for each court appearance:
 - a. Certified copy of court order or custodial transportation order
 - b. Copy of the *Receipt for Offender Custody* 050_F2
 - c. Copy of the *Request for Court Disposition* 050_F4
 - d. *Court Appearance Log* 050_F5; if the offender is transferred to a jail for court appearance, arrival at the jail must be verified within 24 hours of release to non-DOC agents and the offender's presence at the jail verified each 30 days thereafter until returned to DOC custody.
 - e. *Court Transportation Information* 050_F6

V. Out to Court - Jurisdiction other than the Commonwealth of Virginia; does not include Interstate Corrections Compact Offenders

A. Notification - Writ/court order from the out-of-state or federal court

1. The court order must contain the offender's name, destination location, purpose of the proceeding, date of release, name of court ordering the release, and an original or attested signature.
2. Facility staff must notify and forward a copy of the writ/court order to the Detainer Unit immediately. The Manager of Classification or the Transportation Coordinator must be notified, if facility staff are unable to reach the Detainer Unit.

B. Verification

1. Institutions - The Detainer Unit will verify the court order by contacting the court or an agent for the court to confirm its validity and seek the appropriate approval from the Governor for courts outside of Virginia.
2. Community Corrections facilities - The Facility Unit Head or designee will call the court that issued the order to confirm its validity and explain the CCAP probationer's/parolee's status.

C. Authorization

1. Community Corrections facility offenders
 - a. The Facility Unit Head may release offenders to out-of-state authorities if a proper court order is presented.
 - b. Facility staff must notify the Virginia Court that sentenced the offender to the program.
 - c. Sentencing P&P Office staff will determine if a PB-15, *Arrest Authority* should be issued as a

detainer

- d. The facility P&P Officer will submit a *Violation Report* to immediately remove the offender from the program before releasing the offender to another state.

2. Inmates

- a. Except as provided under the *Temporary Transfer of Custody under the Interstate Agreement* section of this operating procedure, the Governor of Virginia by statute must authorize the release of an inmate for the purpose of court appearance in a court or jurisdiction located outside the Commonwealth of Virginia; see COV §53.1-206, *When prisoner surrendered as witness; certificate* and COV §53.1-208, *Prisoners indicted or charged with crime outside Virginia; certificate; authority of officer with custody of prisoner*.
- b. The Detainer Unit will prepare and submit all necessary documents to the Governor's office for review.
- c. Upon receipt of authorization for release signed by the Governor, the inmate may be released to the appropriate authorities.

D. Release documentation for temporary transfer to court ordered appearance out-of-state - The facility Records Manager or designated Records staff should prepare:

1. *Offender Gate Pass*
2. *Receipt for Offender Custody* 050_F2
3. *Request for Court Disposition* 050_F4
4. *Do Not Release Notification* 050_F16

E. Transportation - Other law enforcement or Extradition Unit and Fugitive Services Unit staff

1. Out-of-state court appearances are usually temporary transfers to a jail or a corrections facility in another state.
2. Extradition Unit and Fugitive Services Unit staff or non-DOC law enforcement authorities will provide transportation.
 - a. Facility staff must not transport an offender out-of-state.
 - b. The identity of non-DOC law enforcement authorities must be confirmed by picture identification card; a copy of the picture identification card must be made and retained at the facility unless the transporting authorities are federal agents.
 - c. Verification of identification will also be made by contacting the employing agency that issued the identification.
3. The *Offender Gate Pass* will be provided to the Corrections Officer operating the facility perimeter gate as authorization to release the offender to the transporting authorities.
4. The transporting authorities must sign the *Receipt for Offender Custody* and will be provided an *Offender Gate Pass* and the *Request for Court Disposition*.

F. Notification of Additional Sentences Imposed

1. In order to maintain accurate and up-to-date offender release information, the Detainer Unit must be notified of any additional sentence imposed after the offender's return from any out of State or Federal Court.
2. Records staff will send a copy of the *Request for Court Disposition* 050_F4 with each inmate or CCAP probationer/parolee who is returned to court for trial.
 - a. Records staff will forward the completed *Request for Court Disposition*, court's disposition notice and all other court documents to the Detainer Unit.
 - b. If the court does not return the *Request for Court Disposition* or returns a blank document, records staff will forward the blank document, the court's disposition notice if available and all other court documents to the Detainer Unit.

- c. If the Court does not provide a disposition notice with the court documents, facility records staff will forward the blank *Request for Court Disposition* 050_F4 to the Detainer Unit.

G. Record Keeping and Follow up

1. Facility staff will schedule the VACORIS location designation to the “Detainer Unit” in VACORIS.
2. The Detainer Unit is to be notified to confirm the “transfer out” and will assign the offender to a “Detainer Unit” bed for tracking purposes.

VI. Interstate Agreement on Detainers Temporary Transfer of Custody - Institutions only

A. Notification - *Evidence of Agent’s Authority to Act for Receiving State (Form VI)* from the requesting state

B. Verification

1. Upon receipt of a *Form VI*, the Facility Unit Head or designee will notify the Detainer Unit to verify that all necessary procedures have been finalized for temporary transfer. A copy of *Form VI* must be forwarded to the Detainer Unit
2. The Detainer Unit will coordinate the process of effecting a temporary change in custody under the provisions of the *Interstate Agreement on Detainers*.

C. Authorization - The Detainer Unit has the authority to effect the temporary transfer of an offender’s custody under the *Interstate Agreement on Detainers* as provided in COV §53.1-210, *Agreement entered into and enacted into law*. Such transfers do not require the approval of the Governor.

D. Release Documentation for temporary transfer under the *Interstate Agreement on Detainers* - The facility Records Manager or designated Records staff should prepare:

1. Offender Gate Pass
2. *Request for Court Disposition* 050_F4

E. Transportation - Other law enforcement or Extradition and Fugitive Services Unit staff

1. Extradition Unit and Fugitive Services Unit staff or non-Virginia DOC law enforcement authorities will provide transportation.
 - a. Facility staff must not transport an offender out-of-state.
 - b. The identity of non-Virginia DOC law enforcement authorities must be confirmed by picture identification card a copy of the picture identification card must be made and retained at the facility unless the transporting authorities are federal agents.
 - c. Verification of identification will also be made by contacting the employing agency that issued the identification.
2. The *Offender Gate Pass* will be provided to the Corrections Officer operating the facility perimeter gate as authorization to release the offender to the transporting authorities.
3. The *Evidence of Agent’s Authority to Act for Receiving State (Form VI)* must be verified prior to an offender’s release on an out-of-state detainer.
 - a. The copy of *Form VI* presented by the transporting official(s) must contain information identical to that on the copy of *Form VI* previously received at the facility.
 - b. At the time of transfer the transporting official(s) will countersign the document, and the signature(s) will be compared to one(s) on the first-received document.
4. The transporting authorities must be provided the *Offender Gate Pass* and the *Request for Court Disposition*.

F. Notification of Additional Sentences Imposed by an Out of State or Federal Court

1. In order to maintain accurate and up-to-date inmate release information, the Detainer Unit must be notified of any additional sentence imposed after the inmate’s return from any out of State or Federal

Court.

2. Records staff will send a copy of the *Request for Court Disposition* 050_F4 with each inmate who is returned to court for trial.
 - a. Records staff will forward the completed Request for Court Disposition, court's disposition notice and all other court documents to the Detainer Unit.
 - b. If the court does not return the *Request for Court Disposition* or returns a blank document, records staff will forward the blank document, the court's disposition notice if available and all other court documents to the Detainer Unit.
 - c. If the Court does not provide a disposition notice with the court documents, facility records staff will forward a blank *Request for Court Disposition* 050_F4 to the Detainer Unit.

G. Record Keeping and Follow up

1. Facility staff will schedule the VACORIS location designation to the "HQ Detainer Unit" in VACORIS.
2. The Detainer Unit is to be notified to confirm the "transfer out" and will assign the inmate to a "HQ Detainer Unit" bed for tracking purposes.

VII. Corrections Construction Unit (CCU), Environmental Services Unit (ESU), and Operational Maintenance Unit (OMU) Transfers

- A. Central Classification Services and the managers of CCU, ESU, and OMU closely coordinate assignments to and removals from the work crews.
- B. For each offender assigned to CCU, ESU, or OMU, the Transportation Coordinator will prepare a *Statewide Offender Gate Pass* that must be honored as an outside work gate pass at all facilities.
- C. Offenders permanently assigned to CCU, ESU, or OMU may be transferred by the CCU, ESU, or OMU Manager throughout the state as needed to work sites for the period of time needed.
- D. The CCU, ESU, or OMU Manager with the Transportation Coordinator will coordinate temporary assignments to other facilities.

VIII. Temporary Transfers

- A. Institutional offenders may be temporarily transferred from one DOC institution to another DOC institution for:
 1. Security needs
 2. Medical treatment
 3. Corrections Construction Unit (CCU), Environmental Services Unit (ESU) and Operational Maintenance Unit (OMU) work assignments
 4. Community Corrections Alternative Program pickup
 5. Parole release/discharge
 6. Private visitation/deathbed visits
 7. Other reasons as determined by authorized authorities
- B. Notification, Verification
 1. Institutional staff will notify Central Classification Services during business hours or the Regional Administrator or Regional Duty Officer during non-working hours, holidays, and weekends of the need to transfer temporarily an offender from the institution in accordance with Operating Procedure 830.5, *Transfers, Institution Reassignments*.
 2. Institutional staff will notify Central Classification Services when the need for a temporary transfer has passed and the offender may return to their permanent assignment.

3. Central Classification Services or the CCU, ESU, OMU Manager may notify the institution of the need to temporarily transfer an offender from the institution.

C. Authorization

1. Central Classification Services may authorize temporary transfers using a *Temporary Reclassification* or the VACORIS manifest sent to the facility Records Office.
2. The Regional Administrator or Regional Duty Officer may authorize temporary transfers using an *Intra-Regional Transfer Authorization* 050_F8.
3. The Managers of CCU, ESU, and OMU may authorize temporary transfers using an *Interdepartmental Transfer Notice (CA4)* 050_F9.
4. At institutions with Work Centers, the Facility Unit Head may move offenders as needed between the main institution and the Work Center using an *Intra-Regional Transfer Authorization* 050_F8.

D. Release Documentation for temporary transfers to another institution - The institution Records Manager, designated records staff, or the Shift Commander, if after hours, should prepare:

1. *Interdepartmental Transfer Notice (CA4)* 050_F9 or *Intra-Regional Transfer Authorization* 050_F8
2. *Offender Gate Pass*

E. Transportation

1. Security staff should transport offenders being temporarily transferred to another institution. Custody of an offender may transfer to other DOC security staff at the “bullpen” or other site before the offender reaches the new facility. This transfer should be documented on *Interdepartmental Transfer Notice (CA4)* 050_F9.
2. CCU, ESU, and OMU foremen may transport offenders being temporarily transferred to another DOC institution for CCU, ESU, or OMU work assignment. This transfer should be documented on *Interdepartmental Transfer Notice (CA4)* 050_F9.

IX. Permanent Transfer

A. Notification, Verification, Authorization

1. Institutional offenders may be permanently transferred from one institution to another, from an institution to jail, or from a jail to an institution.
2. Permanent transfers are usually made for bed management, placement in work release/pre-release programs, or return from work release/pre-release programs.
3. Institutions will be notified and permanent transfers authorized by a manifest generated in VACORIS by Central Classification Services.

B. Transfer Preparation

1. The institution Records Manager or designated records staff will:
 - a. Notify all Department Heads, such as Business, Personal Property, Security, Medical, Mental Health, Grievance, Mailroom, and Treatment, of inmates scheduled to transfer to ensure completion of any pending action, such as grievances, claims for damages or lost possessions, medical screenings, and mental health and wellness care.
 - b. Prepare the following release documentation for permanent transfers
 - i. *Interdepartmental Transfer Notice (CA4)* 050_F9
 - ii. *Offender Gate Pass*
 - c. These documents should be placed in a clear sheet protector so that they are not damaged during transport.
2. Once notified an inmate is scheduled to transfer, Mental Health and Wellness staff will check the inmate’s Mental Health Classification Code (MH). When the inmate is a MH-2 or higher,

designated Mental Health staff must notify designated Mental Health staff at the receiving institution as soon as possible to coordinate mental health and wellness care.

C. Transportation

1. Security staff should transport offenders being permanently transferred to another institution.
 - a. Custody of an offender may transfer to other security staff at the “bullpen” or other site before the offender reaches the new institution.
 - b. This transfer should be documented on *Interdepartmental Transfer Notice (CA4) 050_F9*.
2. Security staff and/or jail staff may transport offenders being permanently transferred between institutions and jails.
 - a. Identification of jail staff should be confirmed by picture identification and, if possible, contact with the jail.
 - b. Any transfer of offender custody during transportation should be documented on *Interdepartmental Transfer Notice (CA4) 050_F9*.

X. Transfer to DOC Jail Contract Work Release or Offender Re-Entry Programs

A. Notification, Verification, Authorization - Facilities will be notified and transfers to Offender Re-Entry, VASAVOR, and jail work release and pre-release programs will be verified and authorized by a manifest generated in VACORIS.

B. Transfer Preparation

1. Facility records staff should:
 - a. Confirm the offender provided a DNA sample or ensure the offender provides a DNA sample before release; see the *DNA Sampling of Offenders* attachment to Operating Procedure 920.1, *Community Case Opening, Supervision, and Transfer*.
 - b. Prepare an institutional “dummy” file to accompany the offender transferred to a local or regional jail for work release or pre-release.
 - i. The “dummy” file created by the sending institution should contain the most recent issuance of the documents listed on the *Dummy File Checklist 050_F1* and any other documents that would be beneficial to jail staff in determining appropriate classification and employment.
 - ii. For work release, facility staff will prepare the *Offender Information Form* on watermark paper and place it inside the “dummy” file, it should not be hole-punched; facility staff will not prepare the *Offender Information Form*, for Offender Re-Entry Programs, the form will be provided by the jail’s Transition Coordinator.
 - iii. The offender’s Historical Hardcopy Record and Health Record will be managed in accordance with Operating Procedure 050.1, *Offender Records Management*, and Operating Procedure 701.3, *Health Records*.
 - c. Notify appropriate departments, such as Business, Personal Property, Security, Medical, Grievance, Mailroom, and Treatment, of the offenders pending transfer to ensure proper completion of any pending action, such as grievances or claims for damages or lost possessions, medical screenings, and arrangements for community follow-up.
 - d. Prepare the contents of the *Personal Property Envelope*, if applicable by placing them in a separate envelope for transfer.
 - e. Prepare a *Selective Service Form*, if applicable
 - f. Provide the offender with a copy of the Internal Revenue Service’s Form 8850, *Pre-Screening Notice and Certification Request for the Work Opportunity Credit*
 - g. Ensure the State Identification (SID) number has a confirmation date from the Virginia State Police, if the SID number is not confirmed ensure the offender’s fingerprints are scanned using the facility’s live scan equipment
 - h. The Transportation Coordinator, Offender Management Services, will schedule the transfer and

location change in VACORIS.

2. The Treatment Department should ensure the offender obtained their Birth Certificate and Social Security Card in accordance with Operating Procedure 820.2, *Re-entry Planning*.
 3. Business Office responsibilities:
 - a. Prepare a check to provide all funds credited to the offender's account.
 - i. An offender released to a local or regional jail work release or pre-release program will be provided all funds credited to their account.
 - ii. Facility staff do not need to supplement offender funds to meet the \$25.00 since the offender is not being released from incarceration.
 - iii. A check, in the amount of funds currently available, will be made out to the offender and included in the offender's "dummy" file sent with the transporting officer.
 - iv. The Business Office should prepare a receipt for the funds and obtain the offender's signature.
 - b. Any additional funds posted after the offender's release should be forwarded to the appropriate jail upon closure of the offender's Trust Account.
 - c. Facility staff will charge the cost for discharge clothing to appropriate and authorized accounts according to established fiscal procedures.
 4. Medical Department responsibilities:
 - a. Prepare the offender for program transfer in accordance with Operating Procedure 720.3, *Health Maintenance Program*.
 - b. Prepare a health "dummy" file to accompany the offender to the local or regional jail for work release or pre-release. The "dummy" file, created by the sending facility should contain the most recent issuance of the documents listed on *Dummy File Checklist 050_F1* and any other documents that would be beneficial to jail staff in determining appropriate classification and employment.
 5. Personal Property responsibilities:
 - a. Send only property on the allowable personal property list provided by the jail with an offender to the jail. All other property should be disposed of in accordance with Operating Procedure 802.1, *Offender Property*.
 - b. Provide appropriate clothing for the offender's transfer, do not transfer offenders in cloth or paper jumpsuits:
 - i. Male offenders will be transferred in the standard khaki discharge clothing to include work boots or shoes appropriate for a work environment or standard "blue" clothing with the khakis packed in their property as directed by the jail.
 - ii. Female offenders will be transferred in the standard "blue" clothing; female offenders may be released with personal tennis/athletic shoes.
 - iii. All offenders will be transferred with a minimum of three pairs of underwear and three pairs of socks to include the pair the offender is wearing. If the offender does not have three pairs of personal underwear and socks, state clothing will be issued to make up the minimum number.
 - iv. All offenders will be provided a jacket for transfers occurring October 15 through April 14.
- C. Release documentation and transportation must be in accordance with the *Permanent Transfer* section of this operating procedure.

REFERENCES

18 U.S.C. §701, *Official badges, identification cards, other insignia*

COV §19.2-310, *Transfer of prisoners to custody of Director of Department of Corrections*

COV §53.1-10, *Powers and duties of Director*

COV §53.1-206, *When prisoner surrendered as witness; certificate*



COV §53.1-210, Agreement entered into and enacted into law

Operating Procedure 021.1, *Victim Services Unit*

Operating Procedure 050.1, *Offender Records Management*

Operating Procedure 411.1, *Offender Transportation (Restricted)*

Operating Procedure 435.2, *Offender Gang Identification and Tracking (Restricted)*

Operating Procedure 701.3, *Health Records*

Operating Procedure 720.3, *Health Maintenance Program*

Operating Procedure 735.1, *Sex Offender and Crimes Against Minors Registration*

Operating Procedure 802.1, *Offender Property*

Operating Procedure 802.2, *Offender Finances*

Operating Procedure 803.1, *Offender Correspondence*

Operating Procedure 820.2, *Re-entry Planning*

Operating Procedure 830.5, *Transfers, Institution Reassignments*

Operating Procedure 841.5, *Offender Alcohol and Other Drug Testing and Treatment Services*

Operating Procedure 851.2, *Bereavement Visits*

Operating Procedure 920.1, *Community Case Opening, Supervision, and Transfer*

ATTACHMENTS

None

FORM CITATIONS

Dummy File Checklist 050_F1

Receipt for Offender Custody 050_F2

Travel Permit-In State Travel 050_F3

Request for Court Disposition 050_F4

Court Appearance Log 050_F5

Court Transportation Information 050_F6

Intra-Regional Transfer Authorization 050_F8

Interdepartmental Transfer Notice (CA4) 050_F9

Do Not Release Notification 050_F16

Consent for Release of Confidential Health and/or Mental Health Information 701_F8

Internal Revenue Service's Form 8850, *Pre-Screening Notice and Certification Request for the Work Opportunity Credit*